

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

JOHN W. HENSON,

Petitioner,

v.

CIVIL ACTION NO. 5:07-cv-00251

THE UNITED STATES OF AMERICA,

Respondent.

JUDGMENT ORDER

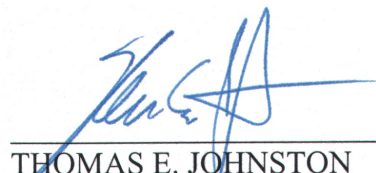
By Standing Order entered on August 1, 2006, and filed in this case on April 25, 2007, this action was referred to United States Magistrate Judge Mary E. Stanley for submission of proposed findings and a recommendation [PF&R]. Magistrate Judge Stanley filed her PF&R on April 30, 2008 [Docket 16]. In that filing, the magistrate judge recommended that this Court deny Petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241* and remove this matter from the Court's docket.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Here, objections to Magistrate Judge Stanley's PF&R were due by May 16, 2008, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Petitioner has failed to object to the PF&R.

* The Court is not entirely unsympathetic to the issue raised by the Petitioner, however this particular *type of case* in this *particular court* was not the appropriate method to raise the issue.

Having reviewed the Proposed Findings and Recommendation filed by Magistrate Judge Stanley, the Court adopts the findings and recommendations contained therein. Accordingly, the Court hereby **DENIES** Petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 and **DISMISSES** this case. The Clerk is directed to **REMOVE** this action from the Court's docket. The Clerk is further directed to mail a certified copy of this Judgment Order to all counsel of record, Petitioner, *pro se*, and a copy to Magistrate Judge Stanley.

ENTER: May 23, 2008



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE